

**REMARKS**

Claims 1-7 and 9 are pending in this application. By this Amendment, claims 1, 2, 4, 6 and 9 are amended. Support for these amendments can be found, for example, on page 6, lines 3-21, page 7, lines 8-10, page 8, lines 8-14, page 9, lines 4-12, and page 16, lines 11-18 of the specification, as originally filed. No new matter is added. A Request for Continued Examination is attached. Reconsideration of this application in view of the above amendments and the following remarks is respectfully requested.

The Office Action rejects claims 1, 2, 4-7 and 9 under 35 U.S.C. §103(a) over U.S. Patent No. 6,487,309 to Chen, in view of U.S. Patent Application Publication No. 2001/0003557 A1 to Hirai et al. ("Hirai"). This rejection is respectfully traversed.

The combination of Chen and Hirai would not have rendered obvious, an evaluation value determining part for calculating an evaluation value for each of the plurality of pixels, the evaluation value being calculated by selecting two or more small areas, including an area having the pixel for which the evaluation value is calculated and an other area having shorter distances to a pixel for which the evaluation value is being calculated from each of the plurality of pixels, as recited in independent claims 1 and 6, and similarly recited in independent claim 9.

Chen discloses calculating an interpolate quantity of a pixel to be interpolated from a pixel value to be interpolated and adjacent pixel values in a gray image area. Specifically, a decision is made as to whether or not the color average ratios among the individual color components are very close to one another in all the areas by referring to the color average ratios among the individual color components in the area 1 (Chen, col. 11, lines 4-9). Chen does not disclose the feature of calculating an interpolation value using the output of an area other than the area to which the pixel to be interpolated belongs (area 1). Thus, Chen does not select two or more small areas, as positively recited in independent claims 1, 6 and 9.

Hirai fails to overcome the deficiencies of Chen, and is only relied on as allegedly disclosing a luminance value determining part.

Chen and Hirai would not have rendered obvious an image/processing part for performing correction on each of the pixels of the captured image data according to the evaluation value determined by said evaluation value determining part, as recited in independent claims 1 and 6, and similarly recited in independent claim 9.

The Office Action alleges that the control unit 11 of Chen for decision making corresponds to the claimed correction.

Chen discloses that if the control unit 11 ascertains that the variable  $i$  has exceeded  $n$ , the control unit 11 issues an instruction to the interpolation processing unit 23 inside the image processing unit 18 to execute interpolation processing for a single-hue image (Chen, col. 11, lines 26-30). However, as discussed previously, the evaluation value that is to be corrected is calculated for each of the plurality of pixels, by selecting two or more small areas having shorter distances to a pixel from each of the plurality of pixels. The claimed features calculates an evaluation value for correcting a pixel of the evaluation value to be calculated, whereas Chen calculates an interpolate quantity. Chen does not disclose utilizing two or more small areas in the interpolation process. Thus, Chen does not disclose all the features positively recited in independent claims 1, 6, and 9. Hirai fails to overcome the deficiencies of Chen.

Finally, the combination of Chen and Hirai would not have rendered obvious, a luminance value determining part for determining a luminance value indicating luminosity for the captured image data in each of the plurality of small areas, as recited in independent claim 1 and similarly recited in independent claims 6 and 9.

As discussed above, the Office Action relies on Hirai as allegedly disclosing the claimed luminance value determining part. Hirai discloses four photometry sensors (9D, 9G,

9B, and 9R) on the pentagonal prism 5, each of which functions as a photometry element and receives light passed through the photographic lens 2 and reflected by the quick return mirror 3 (Hirai, paragraph [0042]). Additionally, Hirai discloses the structure of each of the sensors 9D, 9G, 9B and 9R. Each sensor is configured such that a light receiving section and amplifier AMP are integrally formed (Hirai, paragraph [0044]). Hirai does not disclose a luminance value indicating luminosity for the captured image data in each of the plurality of small areas. Hirai also does not disclose any captured image data. Hirai merely detects the luminance of the light, which passes through the lens 2. Accordingly, Hirai does not determine the luminance of the areas of captured image data to be image-processed by an image-processing part. The Office Action acknowledges that Chen does not teach this feature of determining a luminance value. Therefore, the combination of Chen and Hirai would not have rendered obvious all of the features positively recited in independent claims 1, 6 and 9. Thus, independent claims 1, 6 and 9 are patentable over the combination of Chen and Hirai.

Claims 2, 4 and 5 incorporate the features of independent claim 1. Claim 7 incorporates the features of independent claim 6. Thus, claims 2, 4, 5 and 7 are also allowable by reason of their dependence on independent claims 1 and 6, respectively, as well as for the additional features these claims recite. Accordingly, it is respectfully requested that the rejections be withdrawn.

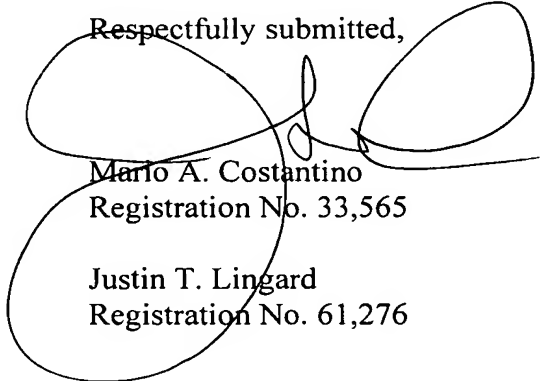
The Office Action rejects claim 3 under 35 U.S.C. §103(a) over Chen in view of Hirai, further in view of U.S. Patent No. 5,710,877 to Marimont et al. ("Marimont"). This rejection is respectfully traversed.

Claim 3 is dependent on independent claim 1. Marimont fails to overcome the deficiencies of Chen and Hirai, as applied to claim 1. Thus, claim 3 is allowable by reason of its dependency from independent claim 1, as well as for the additional features it recites. Accordingly, withdrawal of the rejections is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-7 and 9 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachments:

Petition for Extension of Time  
Request for Continued Examination

Date: September 14, 2010

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